



5-10-05

EW 1641

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Galla Chandra Rao and  
Leon W.M.M. Terstappen

Serial No. 10/017,437

Filed: 12/18/2001

For: ANALYTICAL METHODS AND  
COMPOSITIONS

Examiner: Melanie J. Yu

Group Art Unit: 1641

Response to 11/18/2004 O.A.

Our File No.: IMMC 137

**AMENDMENTS**

In response to the Official Action dated 11/18/2004, please amend the above-identified application as follows:

**Claim Rejection under 35 USC § 112**

Claims 1-11 and 15-17 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1- Use of the term "capable of binding" is considered indefinite. Applicant has amended claim 1 to incorporate a limitation of the first binding partner being "bound" to a complementary second binding partner to describe the interactions of binding partners as discussed (page 5, para 0050).

2- Use of the term "variable" is considered indefinite. Applicant has further amended claim 1 to more definitively state the amount of free binding sites in the preferred particles (page 4, para 0044).

3- Use of the term "directly or indirectly bound" is considered indefinite. Applicant has amended claim 6 to limit the interaction to indirect binding as supported in the preferred embodiment which incorporates the use of biotin with avidin as binding partners.